

REMARKS

I. Summary of Telephone Interview

Applicant respectfully would like to thank Examiner Shoap and Prone for the telephone interview conducted on July 27, 2004. Claims 1-5 and 9-11 were discussed. Applicant argued that the Still reference teaches a different method of cutting the ply stock in that a single plunge is needed. However, the Examiners alleged that it would have been obvious to do a single plunge as taught by the German reference. The Patent Examiners suggested incorporating specific structure of the blade in combination with the process of cutting. Again, Applicant would like to respectfully thank the Examiners for their time put forth with this case.

II. Rejections under 35 U.S.C. 103(a)

Claims 1-5, 9, and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,572,046 to Still over German reference 1282914. The Examiner contends that Still teaches everything in independent claims 1 and 9 with the exception of the knife assembly having a home position where the leading point of the blade is directly above an insertion point and that the distance between the first lateral edge and the insertion point is less than or equal to the length of the trailing edge. The Examiner utilizes the '914 reference to teach this missing claim limitation. Applicant respectfully traverses this rejection.

Applicant still maintains that the method as previously presented in Amendment D is non-obvious over the combination provided by the Examiner. However, claims 1 and 9 have been amended to state that "said leading edge having a curved profile and said trailing edge having a straight profile." This amendment finds support in the subject application on page 4, lines 13 and 14. None of the cited references teach or suggest a single knife blade that has two different profiles on the blade. Still has two arcuate profiles on its knife blade. Further, Still states that:

It should be noted that the knife 49 is particularly adapted to be arcuately plunged in the ply material 12 and employs a point 123 in combination with an arcuate portion of the cutting edge 124 of the cutting edge 122 which is used to penetrate the material upon arcuate plunging of the knife 49 into the ply material 12 by the means shown most clearly in FIGS. 16 and 17 of the drawings. It should be noted that the cutting action caused thereby is not a straight plunge but rather involves a rotation of the penetrating portion of the cutting edge 122 in combination with the general downward movement of the knife 49 to thereby allow easier penetration of the ply material 12 by the knife 49. See column 17, lines 18-31.

Based upon the disclosure of Still, it is apparent that the two arcuate sides of the knife blade are required. The present invention does not require such configuration. As now claimed, the trailing edge has a straight profile and the leading edge has a curved profile. Further, Still teaches notches 125 and 126 that have cutting edges extending on both sides thereof. The notches provide cutting action utilizing both sides of the notch in order to cause ply material 12 to be generally disposed toward the middle of the notches in order to prevent the tendency of the material to be either pushed upward or downward by the knife 49 during the cutting action. See column 17, lines 31-43. This further evidences that Still does not teach a straight profile of the trailing edge and the curvilinear profile of the leading edge. Further, the German reference has two straight profiles on its knife blade. None of the references cited teach or suggest that the leading edge and trailing edge have two different profiles as claimed in claims 1 and 9. Based upon the foregoing, Applicant respectfully contends that claims 1 and 9 are in condition for allowance.

Claims 2-5 and 11

Claims 2-5 and 11 depend from claims 1 and 9, respectively, either directly or indirectly. As such, the arguments made for claims 1 and 9 are equally applicable and are incorporated herein by reference.

III. Conclusion

In response to the Final Office Action dated July 7, 2004, claims 1 and 9 have been amended pursuant to 37 C.F.R. 1.121. It is believed these amendments have placed the amended claims in conformance with the requirements of the Office Action. At this point, Applicant

believes that the claims remaining in the case distinguish over the art cited and comply with the requirements of 35 U.S.C. §102, §103 and §112. As such, allowance of the claims is respectfully requested.

Respectfully submitted,

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